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U.S. BANKRUPTCY COURT
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AMARILLO, TEXAS

Attorneys for Cynthia Dene' Merillat

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

In Re:

CYNTHIA DENE' MERILLAT,

Debtor.

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CASE NO. 01-20308-RLJ-7

CYNTHIA DENE' MERILLAT,

Plaintiff,

vs.

SALLIE MAE, INC. and STUDENT
LOAN GUARANTEE FOUNDATION
OF ARKANSAS,

Defendants.

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ADVERSARY NO. 01-2017

**PLAINTIFF'S PROPOSED FINDINGS OF FACT
AND CONCLUSIONS OF LAW**

CYNTHIA DENE' MERILLAT, Debtor and Plaintiff in the above-entitled and numbered proceedings ("Merillat"), files this her Proposed Findings of Fact and Conclusions of Law, and would show the Court as follows:

1. Merillat urges the Court to make the following findings of fact:
 - a. Findings of fact consistent with the stipulated facts (including the admissibility of exhibits) set forth in the Joint Pretrial Order filed November 29, 2001.
 - b. Facts which may be inferred from Exhibit Nos. 1 through 7 identified in the Joint Pretrial Order filed November 29, 2001.

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2. In addition to the above requested findings of facts, Merillat urges the Court to make the following additional findings of fact and conclusions of law.

- a. There is no reasonable prospect that Merillat will ever be able to pay the debt owed Defendant.
- b. Merillat cannot maintain, based on current income and expenses, a minimal standard of living for herself if forced to repay the loans because Merillat has insufficient income to pay off the student loans prior to her retirement.
- c. Merillat's situation is likely to persist until her retirement because she is fully employed and has very limited prospects for increasing her income.
- d. Merillat has made a good faith effort to repay her loans because she has made payments over the last six (6) years in excess of one-third of the amount borrowed.
- e. Excepting from discharge the loan owed Defendant will impose an undue hardship on Merillat.

Respectfully submitted,

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By: 
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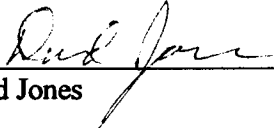
Attorneys for Cynthia Dene' Merillat

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 4th day of December, 2001, a true and correct copy of the above and foregoing was mailed by regular mail to the following:

Robert S. Lavet, Esq.
SALLIE MAE, INC.
11600 Sallie Mae Drive
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